In the Supreme Court of the United States.

DECEMBER TERM, 1868.

SCHOONER LUCY
vs.
THE UNITED STATES. } No. 224.

Brief of the United States on motion to dismiss.

The district court southern district of Florida entered a decree of condemnation in above-entitled case, August 4, 1862. (Record, page 3.)

The claimant in open court gave notice of an appeal to the Supreme Court of the United States.

On the 15th of same month appeal was allowed. (Record, page 3.)

The record in the case was afterward, in October, 1862, filed in the circuit court of the United States, southern district of Florida, "by reason of act of Congress approved July 15, 1862, establishing a circuit court in said district." (Record, page 3.)

Afterward, to wit, May 1, 1867, the cause was transferred to the Supreme Court of the United States by consent of all parties in interest. (Record, page 33.)

The case comes up from the circuit court. (Record, page 34.)

The case should be dismissed:

I. The Supreme Court acquires no jurisdiction of the case by the order of the circuit court.

The Alicia, 7 Wallace, page 571.

II. The case was not in the circuit court. The third section of the act of July 15, 1862, did not provide for its removal.

Statutes at Large, volume 12, page 576.

III. The Supreme Court does not acquire jurisdiction by reason of the appeal from the decree of the district court, taken in August, 1862, to the Supreme Court of the United States.

By the act of March 3, 1845 (5th Statutes at Large, page 788), the district court of southern district of Florida, had the same jurisdiction as the circuit courts, and appeals were to the Supreme Court of the United States. The act was not, however, in force at the time the appeal was taken, to wit, in August, 1862. The act *was repealed by the act of July* 15, 1862.

Statutes at Large, volume 12, page 576.

The appeal seems to have been taken and allowed in *August*, in ignorance that the act had been repealed in July. The prize act of June 30, 1864 (Statutes at Large, volume 13, page 310), gave the Supreme Court jurisdiction of appeals from the district court, but no appeal has been taken under this act. It can hardly be argued

that the act of 1864 gave any vitality to the appeal taken in 1862. Even if it did, the case must be dismissed because the record was not filed before the end of the term succeeding the allowance of the appeal, nor before the end of the term succeeding the passage of the act of June 30, 1864.

The record was filed December 24, 1867.

See Edmonston *vs.* Bloomshire, 7 Wallace, page 306.

E. R. HOAR,
Attorney General.
J. HUBLEY ASHTON,
For Captors.

Supreme Court of the United States.

DECEMBER TERM, 1868.

THE SCHOONER LUCY STONE AND CARGO, appellants,
vs.
THE UNITED STATES.
No. 224.

BRIEF OF COUNSEL OF APPELLANTS ON MOTION TO DISMISS.

1. The decree of the district court of the United States, which is appealed from, was made on the 4th of August, 1862, and notice of appeal given by claimant on the same day in open court.

Record, p. 3.

2. The appeal was allowed on 15th August, 1862, by order of court.

Record, p. 3.

3. This appeal was returnable to the Supreme Court of the United States, as by the 1st section of the act of 23d February, 1847, the district court of Florida had the powers of a circuit court, and appeals from its decrees were returnable directly to the Supreme Court.

9 Stats. at Large, p. 131.

4. This act last quoted was not repealed by the act of 15th July, 1862, since the 3d section of that act declares, that only actions, suits, &c., which might have been brought, and could originally have been brought, *in a circuit court*, now

pending in the district court of Florida, acting as a circuit court, *on the 1st day* of October next, shall be transferred to the circuit court constituted by that act. In the case at bar the district court of Florida *was not acting* as a circuit court, and the case was *not pending* on 1st October, 1862, having before that day been appealed to the Supreme Court of the United States.

See 12 Stats. at Large, pp. 576 and 577.

5. The act of filing the transcript of the record in the circuit court of Florida was a mere error of the clerk. It can prejudice no one, and gives that court no jurisdiction.

Record, p. 33.

6. Things remained in this condition until the 17th March, 1867, when, by an agreement between the parties, it was agreed that "the appeal taken and allowed in this case be taken to the Supreme Court of the United States."

See Record, p. 33.

7. This agreement operated as a waiver of the irregularity existing, in the fact that the appeal had not been filed in the Supreme Court of the United States during the December term, 1862, and as a consent that it should be filed at the next term after the agreement, which was done.

8. This case is distinguishable from that of the Alicia, in 7 Wallace, p. 751. In that case the decree of condemnation was rendered in January, 1863, when the act organizing the circuit court in Florida was in full operation. (See act of 15th July, 1862, 12 Stats. at Large, 576.) The appeal was then asked and allowed to the circuit court in the same month; and in February, 1867, by agreement of parties, and order of the circuit court thereon, the cause was transferred to this court, such transfer being authorized by the 13th section of the act of 30th June, 1864, (13 Stats. at Large, p. 311,) but in the opinion of the court appellate jurisdiction of the cause could not be obtained in that way.

9. Irregularity in return of writ of error or appeal may be cured by consent, whether implied from appearance or otherwise shown.

Wood *vs.* Lide, 4 Cranch, p. 180.

10. Nothing prevents a second appeal being taken, if the first has been dismissed, (see Steamer Virginia *vs.* West, 10 Howard, 182;) and the present case, though not strictly one of where an appeal was dismissed, comes within the analogy of such a case.

11. Good faith requires that the agreement made by the United States below should be kept here, since no law forbids its observance in the present instance.

12. If, notwithstanding the foregoing, the court should be of opinion that the case was properly in the circuit court of Florida, then it is submitted we ought to have an order similar to that given in the case of the Alicia in 7 Wallace.

CHIPMAN, HOSMER & CO.,
THOMAS J. DURANT,
For Claimants and Appellants.

OCTOBER 26, 1869.

Dec. T. 1867

Filed

TRANSCRIPT OF RECORD. 29

SUPREME COURT OF THE UNITED STATES.

No. 224.

THE SCHOONER LUCY AND CARGO, WILLIAM AUSTIN CLAIMANT, APPELLANT,

vs.

THE UNITED STATES.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

FILED DECEMBER 24, 1867.

SUPREME COURT OF THE UNITED STATES.

No. 224.

THE SCHOONER LUCY AND CARGO, WILLIAM AUSTIN CLAIMANT, APPELLANT,

VS.

THE UNITED STATES.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA.

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1 District Court of the United States, southern district of Florida.

THE UNITED STATES
vs.
THE SCHOONER LUCY AND CARGO, WM. AUSTIN, master and claimant. } Prize.

UNITED STATES OF AMERICA:

Be it remembered that on the nineteenth day of July, in the year of our Lord one thousand eight hundred and sixty-two, Thomas J Boynton, esquire, attorney for the United States District Court for said district, filed in the office of the clerk of said court his libel of information against the schooner Lucy, her tackle, apparel, furniture, and cargo, in a cause of prize, in the words and figures following, to wit:

In the District Court of the United States for the southern district of Florida, in admiralty.

THE UNITED STATES
vs.
THE SCHOONER LUCY AND CARGO. } Prize.

2 To the Honorable William Marvin, judge of said court:

The libel of Thomas J. Boynton, attorney of the United States for the southern district of Florida, who libels for the United States and [and] for all parties in interest against the ship or vessel called the Lucy, together with her tackle, apparel, furniture and cargo, in a cause of prize, alleges:

That pursuant to instructions for that pupose from the President of the United States, David Stearns, of the United States navy, in and with the United States ship-of-war the Beauregard, did, on the twentieth day of June, in the year of our Lord one thousand eight hundred and sixty-two, subdue, seize, and capture on the high seas, as prize of war, the said ship or vessel called the Lucy, together with a valuable cargo on board of the same; and that said vessel and cargo have been brought into the port and harbor of Key West, in the State of Florida, where the same now are within the jurisdiction of this court; and that said vessel and cargo are lawful prize of war, and subject to condemnation and forfeiture as such.

Wherefore the said attorney prays that all persons having or claiming any interest in said vessel or cargo may be duly notified of the allegations and prayer of this libel, and cited to appear and
3 claim the same; that the nature, amount, and value of said cargo may be determined, and that on proper proofs being taken and heard, and all due proceedings being heard, the said vessel, the Lucy, together with her tackle, apparel, furniture, and cargo, may, on the final hearing of this cause, by the definitive sentence and decree of this court, be condemned, forfeited, and sold, and the proceeds distributed according to law.

THOMAS J. BOYNTON,
U. S. Att'y S. D. of Fl'a.

Whereupon the following order was made and entered in this cause, to wit:

AT CHAMBERS, *July* 19, 1862.

Let monition and attachment issue; returnable July 24th.

WM. MARVIN, *Judge.*

Whereupon, pursuant to the foregoing order of court, attachment was issued to the marshal for said district, directing him to attach, seize, and take into his custody the said schooner Lucy, her tackle, apparel, furniture, and cargo, to abide the further order of this court, which attachment was afterwards by him returned, duly executed, and with the return thereon endorsed, is on file in the clerk's office.

4 Also, pursuant to said order, monition was issued to the said marshal, directing him to cite and admonish all persons, whomsoever, having, or pretending to have, any right, title, claim, or interest in or to the said vessel, the Lucy, her tackle, apparel, furniture, and cargo, to appear at an admiralty session of said court, at Key West, in said district, on Thursday, the twenty-fourth day of July, A. D. 1862, at ten o'clock in the forenoon of that day, to show cause, if any they have, why forfeiture should not be decreed according to the prayer of said libellant, which monition, with the return thereon endorsed, is on file in the clerk's office.

Afterwards, to wit, on the twenty-fourth day of said month of July, William Austin, by his proctor, Walter C. Maloney, esquire, filed in the office of the clerk of said court, his claim to said vessel and cargo, in the words and figures following, to wit:

District Court of the United States, southern district of Florida.

THE UNITED STATES
vs.
THE SCH'R LUCY AND CARGO. } Prize.

5 And now comes William Austin and says, that he is the master of the said schooner Lucy, and as such is the lawful bailee of the said schooner, her tackle, apparel, and furniture, and of her cargo, and he claims the same for the respective owners thereof.

And he further says, that Charles Dexter, a British subject, residing at Havana, is the true and bona-fide owner of the said schooner, as he is informed and believes, and as appears by the register of said schooner.

And he further says, that Louis Alum, a Spanish subject, resident at Havana, chartered and loaded the said schooner for New Orleans on her present voyage, and the said claimant believes the said Louis Alum is the true and only owner of the said cargo.

And the said claimant denies that the said schooner or the goods of her lading are lawful prize of war, and he prays restitution of the same.

WILLIAM AUSTIN.
W. C. MALONEY, *Proctor, &c.*

Sworn to before me this 2d day of July, 1862.

GEORGE D. ALLEN, *Clerk.*

Afterwards, to wit, on the twenty-fourth day of said month of July, the parties to this cause appearing, Thomas J. Boynton, esquire, attorney for the United States, on behalf of the United States and captors, and Walter C. Maloney, esquire, proctor for the claimant, and being ready for trial, proclamation being duly made, the court proceeds to hear this cause upon the allegations
6 and pleadings, the testimony taken in preparatorio, the proper writings and documents found on board said vessel. The cause having been argued by Thomas J. Boynton, esquire, attorney of the United States, on behalf of the United States and captors, and Walter C. Maloney, esquire, on behalf of the claimant.

Afterwards, to wit, on Monday, the fourth day of August, in said year, the court having fully considered the [the] premises, pronounced its decree in this cause in open court, (the parties as aforesaid being present,) in the words and figures following, to wit:

THE UNITED STATES
vs.
THE SCH'R LUCY AND CARGO. } Prize.

It appearing to the court, from the depositions and papers in this cause, that this vessel of thirty-four tons burthen, sailing under a British register and bound ostensibly on a voyage from Havana to New Orleans, was captured by the United States gunboat the Beauregard, on the western coast of Florida, to the northward of Cedar Keys; and in sight of the land, and there being no other cause assigned by the master and mate for being in that place than that they were seeking to speak some blockading or other vessel to procure a
7 navigator to take the vessel to New Orleans, it is the opinion of the court that the master was seeking an opportunity to break the blockade by entering at St. Marks or some other blockaded port, and that a false destination had been given to the voyage with a view to facilitate that object.

It is therefore ordered and decreed that the said vessel, her tackle apparel, and furniture, and cargo be adjudged to be good prize and enemies' property, and that the same be confiscated and condemned to the United States as such and for the causes above recited.

And that the marshal proceed to advertize and sell the same at public auction, after having been duly appraised by appraisers, to be appointed by the court, and bring the proceeds into court.

WM. MARVIN, *U. S. Judge.*

Whereupon, the claimant in this cause in open court gives notice of an appeal from the foregoing decree to the Supreme Court of the United States.

Afterwards, to wit, on the fifteenth day of said month of August, the claimant having deposited in the registry of this court the sum of two hundred and fifty dollars as security for costs and damages, on appeal, it is thereupon ordered that said appeal be accordingly allowed.

8 Afterwards, to wit, on the nineteenth day of said month of August, the following notice was made and entered in this cause, to wit:

I consent that an order of appraisement and sale in the matter of the schooner Lucy be issued and executed.

W. C. MALONEY,
Proctor for Claimant.

Afterwards, to wit, on the twentieth day of said month of August, an order was issued to the said marshal to proceed to advertize and sell said vessel and cargo at public auction, which order was afterward by him returned, duly executed, and with the return thereon endorsed, is on file in the clerk's office.

Afterwards, to wit, on the twenty-sixth day of said month of August, the said appraisers having been previously summoned and duly sworn, filed their report of appraisement, showing the value of said schooner Lucy to be four hundred dollars, and the cargo, two thousand four hundred and eighty-five dollars and sixteen cents—total value two thousand eight hundred and eighty-five dollars and sixteen cents.

9 On the hearing of this cause, the following depositions, papers and documents were read in evidence:

Depositions of William Austin, before George D. Allen, prize commissioner, at Key West, Florida, 12th day of July, 1862.

1st interrogat. To the first interrogatory deponent answers, that he was born in Nova Scotia; he now lives at Nassau, Bahamas, has lived there about nine months; he is a British subject and owes allegiance to the Queen of England; is not a citizen of the United States; is married, wife lives at Nassau, family at Halifax, Nova Scotia.

2nd interrog. To the second interrogatory deponent answers, that he was present at the time of capture.

3d interrog. To the third interrogatory deponent answers, that she was captured about three weeks since, he thinks, the 20th of June; he is not a navigator and cannot tell the position of the vessel at the time; she was taken to Egmont Key and thence to Key West; she had no commission; he was told by Mr. Jones, boarding officer from the Beauregard, that she was out of the course for New Orleans.

4th interrog. To the fourth interrogatory deponent answers, that she sailed under the English colors; she had an American ensign on board, which was on board when he took charge of her.

5 interrog. To the fifth interrogatory deponent answers, that no resistance was made to the seiznre; no guns were fired; the
10 Beauregard made the capture, no other vessels in sight at the time; the Lucy is a merchant vessel; the Beauregard is a United States cruiser of three guns.

6th inter. To the sixth interrogatory deponent answers, the vessel which made the capture, he was told was the Beauregard; he don't know what commission she had; the Lucy has not been condemned to his knowledge.

7th inter. To the seventh interrogatory deponent answers, that her name is the Lucy; himself was master; Charles W. Dexter appointed him to the command at Nassau; he had known the vessel about three months; he took possession of her at Nassau, about the middle of May; Charles W. Dexter delivered her to him.

8th interrog. To the eighth interrogatory deponent answers, that the Lucy is thirty-four tons or thereabouts; six, all told, belong to the company of the vessel; all on board when she was taken; all joined her at Nassau about the 21st or 22nd of May, 1862, they are three Irish, one Dutch or Swede and one English; all were shipped by himself at Nassau.

9 interrog. To the ninth interrogatory deponent answers, that he was captain of the Lucy; he had no interest in the vessel or cargo; he had some articles of dry goods in his trunk, in value about one hundred and ten dollars; no one else on board had any part
11 share or interest in the vessel or goods on board.

10 interrog. To the tenth interrogatory deponent answers, that he thinks he first saw the vessel in Havana, about the middle of the latter part of April. She had no guns; seven men all told were on board of her. He don't know what country build she was; her name is the Lucy; he had never heard of any other name by which she has been called.

11th interrog. To the eleventh interrogatory deponent answers, that she was bound to New Orleans and back to Havana, and then to Nassau. The voyage begun at Nassau, and would have ended at Nassau; she carried tar, pitch, rosin and tobacco, when she left Nassau; she had salt, dry goods, soap, medicines, kerosene oil, coffee, and perhaps some other articles on board, when she was taken, which were put on board in June, 1862. She had no goods contraband of war, or prohibited, on board, to his knowledge.

12 interrog. To the twelfth interrogatory deponent answers that she had a register issued at the custom-house, Nassau; she had a manifest endorsed by the American consul, at Havana. He don't know to what ports she has sailed, nor what cargoes she has carried before he took charge of her. The voyage in which she was captured began at Nassau, and was to have ended at Nassau. She carried pitch, tar, rosin, and tobacco, when she left Nassau, which was delivered at Havana. She sailed from Nassau about the 23rd of May, and from Havana the 15th day of June, 1862.

12 13th interrog. To the thirteenth interrogatory deponent answers, that she carried pitch, tar, rosin and tobacco, from Nassau to Havana, and had 150 sacks of salt, 25 bags of coffee, 10 or 12 cases of dry goods, and 5 bales of dry goods, 5 barrels kerosene oil. He cannot tell the other articles on board, when taken, which were put on board in June, 1862.

14 interrog. To the fourteenth interrogatory deponent answers,

that Charles W. Dexter, of Havana, owns the vessel: he is an Englishman by birth; he don't know where he has lived previously, nor how long he has lived in Havana, nor where his family reside; he is a British subject, as he believes. He cannot tell what the name of the owner of the cargo is; he is Spanish, resides at Havana; he is a merchant at Havana; he knows nothing further about him.

15 interrog. To the fifteenth interrogatory deponent answers that he don't know of any bill of sale or agreement for the vessel.

16 interrog. To the sixteenth interrogatory, deponent answers that the cargo was put on board in Havana, in June, 1862. It was shipped by the owner whose name appears in the manifest and bills of lading, and copy of charter party; he is Spanish, doing business at Havana. The cargo was to be delivered at New Orleans for the risk and account of said owner, so far as he knows. He can-
13 not tell the name of the consignee. The quantities are as before stated, as near as he can recollect. If restored, they did, do, and will belong to the said owner, to the best of his knowledge.

17 interrog. To the seventeenth interrogatory deponent answers, that two bills of lading were signed for the cargo, both like the one found on board, and true and fair, to the best of his belief.

18th interrog. To the eighteenth interrogatory deponent answers, that there was a bill of lading, invoices of cargo, as he believes, register, charter party, manifest of cargo on board; he has bills of the articles which he has in his trunk. He delivered the papers relating to the vessel and cargo to Mr. Jones, who was attached to the Beauregard, and who brought them to Key West.

19th interrog. To the nineteenth interrogatory deponent answers that he cannot tell the lat. or long. of the vessel when she was captured. She was taken, he thinks, on Friday morning, near the port of Cedar Keys, as he heard Mr. Jones, the prize master say. He saw the land plainly, about nine miles distant, as near as he could judge. She was seized between nine and ten in the morning. There was a charter party, signed and executed by himself; the charter party was given to Mr. Jones, the prize master. Twelve hundred dollars was to be paid for the vessel to go with a cargo to New Orleans, and return to Havana; fifteen lay days were allowed at New Orleans, twenty-five dollars per day demurrage after the lay days were up.

29th interrog. To the twentieth interrogatory deponent
14 answers, that she had the papers, as before stated, on board, when she left Havana; none were destroyed in any manner whatever, or concealed, to his knowledge.

21st interrog. To the twenty-first interrogatory deponent answers, that he knew that he had to go to a vessel, at the mouth of the Mississippi river, to get a permit to go up to New Orleans. He saw that that port was to be open on the first of June, in the New York papers.

22nd interrog. To the twenty-second interrogatory deponent answers, that he understood that the port of New Orleans had been opened by the United States government before the vessel sailed from Havana.

23 interrog. To the twenty-third interrogatory deponent answers, that all the papers of the vessel were examined and endorsed by the American consul in Havana, and was boarded by an officer from the United States bark "Amanda" off Tortugas, the second day out from Havana, who looked at the papers, but did not endorse them.

24 interrog. To the twenty-fourth interrogatory deponent answers, that she has not attempted to enter or come out of any port or place under blockade, to his knowledge.

25 interrog. To the twenty-fifth interrogatory deponent answers, she has not been before seized, to his knowledge.

26th interrog. To the twenty-sixth interrogatory deponent answers, that he would only lose his wages and primage if the vessel is condemned; he has not received any indemnity, or satisfaction, or promise of satisfaction for the loss he might sustain.

15 27th interrog. To the twenty-seventh interrogatory deponent answers, that there is no insurance on the vessel or cargo, to his knowledge.

28 interrog. To the twenty-eight interrogatory deponent answers, that he cannot tell who was to take the chance of the market for the sale of the cargo.

29. To the twenty-ninth interrogatory deponent answers, that he cannot tell what country the cargo was made in.

30th interrog. To the thirtieth interrogatory deponent answers, that the cargo was brought on board by lighters in Havana, in June, 1862.

31st interrog. To the thirty-first interrogatory deponent answers, that he only knows of a copy of the charter party being left in Havana.

32nd interrog. To the thirty-second interrogatory deponent answers, that the papers of the vessel were taken by Mr. Jones, who came on board from the Beauregard; Mr. Jones brought them to Key West. He don't know where they are now.

33d interrog. To the thirty-third interrogatory deponent answers, that bulk was not broken.

34 interrog. To the thirty-fourth interrogatory deponent answers, that there were no passengers on board. One man had stowed himself away on board; his name is Paul Regan; says he is English, and discharges and loads vessels in New Orleans, in the winter. He got on board at Havana and says he was going to New Orleans. No one secreted on board at the time of capture. He don't know of any one of the crew who reside in the United States.

35 interrog. To the thirty-fifth interrogatory deponent ans-
16 wers, that all the papers are true and fair, and knows of no circumstances to affect their credit. The register was obtained from the collector of Nassau. He supposes Mr. Dexter applied for it. He was sworn himself as master, that he was a British subject. He was not present when Mr. Dexter applied for the register; he don't know how long it was to last; he thinks it has been renewed; The fee was paid for the register. The shipper of the cargo made out the invoice of the goods in Havana, and made oath to the same;

he made oath to the manifest himself. The man who was stowed away on board had a passport from some English consul. He was told by the clerk of the shippers of cargo that letters and bills of lading had been sent to New Orleans relating to the cargo; he don't know what else; they were sent to the consignee; he signed the charter party and bills of lading, no other papers or letters.

36 interrog. To the thirty-sixth interrogatory deponent answers, that the Beauregard was first seen about sunrise, on the morning of the capture. The Lucy was then steering about northwest; the wind was westerly; she had been about a half hour on that course; she did not change her course on the appearance of the Beauregard. The Lucy was put about, and lay to after the boats from the Beauregard were seen; she had changed her course several times after seeing her to get into deeper water; the winds were light and raining.

17 The Lucy was steering a west by north course, about thirty-six or thirty-eight hours after leaving Havana; when she changed her course to the northward to find the Tortugas Light, she kept on to the northward, and did not see the Tortugas light. About thirty hours after leaving Havana, they were boarded by an officer of the U. S. bark Amanda, of whom he enquired how the Tortugas bore, and how far off, who told him that he could not tell, for they had not had a sight for four days. The Lucy continued her course west by north, till eight or nine o'clock the same night, when she changed her course to the northward; she continued the latter course till she got ashore, the morning of the capture, about three o'clock. The day before, they spoke a smack, and asked if he could get any one to navigate the Lucy to New Orleans. They told him no, but that there was a blockading vessel lying at Cedar Keys, which was due north, where they could get some one to take them to New Orleans, or give them information. They went on the course north till they got aground. Mr. Ambrose Allen, the mate, was navigator of the vessel, who kept a log on a slate only.

37th interrog. To the thirty-seventh interrogatory deponent answers, that he don't know of any sales or transfers of the vessel. If restored he believes she would belong to Mr. Charles W. Dexter, and none others.

38 interrog. To the thirty-eighth interrogatory deponent
18 answers, that she had no guns mounted on board. No arms or ammunition belonging to her. He had one pistol for his private use on board. He don't know of anything on board of the kind enquired about.

39 interrog. To the thirty-ninth interrogatory deponent answers, that he believes Charles W. Dexter owned the vessel. The shippers of the cargo, as appears by the bill of lading, manifest and charter-party, owned the cargo; she was destined to New Orleans.

40 interrog. To the fortieth interrogatory deponent answers, that she had no convoy. She had no instructions or directions of the kind.

41st. interrog. To the forty-first interrogatory deponent answers, that said vessel has not attempted to enter or come out from any blockaded port to his knowledge.

42nd interrog. To the forty-second interrogatory deponent answers, not to his knowledge.

43d interrog. To the forty-third interrogatory deponent answers, not to his knowledge.

1st additional interrog. To the first additional interrogatory deponent answers, that she would have first entered the port of New Orleans if he could have got a navigator to take her there, or any one to give him information; thence to Havana, thence to Nassau, had she not been seized.

2nd additional interrog. To the second additional interrogatory deponent answers, that she draws about five feet full, loaded; she drew four feet eight inches when taken.

3d additional interrog. To the third additional interrogatory deponent answers, that he did not hear any one say anything about
19 her entering any blockaded port, or breaking any blockade at any time.

(Signed) WILLIAM AUSTIN.

Depositions of Ambrose Allen, before George D. Allen, prize commissioner, at Key West, Florida, 14th day of July, 1862.

1st interrog. To the first interrogatory deponent answers, that he was born in Plymouth, England; he now lives in the Bahama Islands, has lived there two years and a half; he is a subject of Victoria, Queen of England, and owes allegiance to her; is not a citizen of the United States; is married; wife resides in the Bahamas.

2d interrog. To the second interrogatory deponent answers, that he was present at the time of capture.

3d interrog. To the third interrogatory deponent answers, that she was taken on the 20th day of June, near the land on the coast of Florida, about ten or twelve miles off shore; he was not acquainted with the coast of Florida, and could not tell the part of the coast. The boarding officer from the Beauregard told them that they were near a place called Dead Man's Bay. She was taken into Egmont Key for water, then to Key West. She had no commission. The
20 captain of the Beauregard said that he would send her to Key West for investigation because she was out of her track.

4 interrog. To the fourth interrogatory deponent answers, that she sailed under English colors. She had an old American ensign on board, as he believes; he don't know why she had it.

5th interrog. To the fifth interrogatory deponent answers, that no resistance was made to the seizure, no guns fired. The Beauregard made the capture; no other vessels in sight. The Lusy is a merchant vessel. The Beauregard is an armed vessel; further he saith not.

6 interrog. To the sixth interrogatory deponent answers, that the Beauregard was the name given by the men on board of the vessel which made the capture. He don't know what commission the Beauregard had. He don't know as the Lucy has been condemned.

7th interrog. To the seventh interrogatory deponent answers, that her name was the Lucy. Captain William Austin was master. He

don't know who appointed him to the command, or where, or when, nor who delivered her to him. He knew the vessel two or three days before he shipped in her, and the captain the same time; further he saith not.

8th interrog. To the eighth interrogatory deponent answers,
21 that the Lucy is about thirty-three tons; six, all told, belonged to her, all on board when taken. He don't know what countrymen they are. The seamen all joined her in Nassau, in May; he supposes the captain shipped them. The captain shipped him about the 20th of May, in Nassau.

9 interrog. To the ninth interrogatory deponent answers, that he belonged to the company of the vessel, was mate; he had no part, share, or interest in the vessel or her cargo; he did not know of any one on board who had any interest in either vessel or cargo.

10 interrog. To the tenth interrogatory deponent answers, that he has known the vessel since about the 18th of May; first saw her at Nassau; she had no guns; seven men in all were on board of her; he don't know what country build she was. Her name is the Lucy; he never heard of her having any other name.

11 interrog. To the eleventh interrogatory deponent answers, that she was going to New Orleans and back to Nassau. The voyage began at Nassau and would have ended on her return to Nassau; she carried tar, pitch, and tobacco when she left Nassau; she had salt, coffee, soap and oil, some boxes of merchandise on board when taken, which was put on board in June, 1862. She had no contraband or prohibited goods on board to his knowledge.

12 interrog. To the twelfth interrogatory deponent answers, that she had an English register; he don't know where it was obtained, but believes from the custom-house, Nassau, and a manifest of
22 her cargo from Havana. He don't know what voyage she has made before he joined her, nor what cargoes she had carried; she sailed from Nassau about the 20th of May, and carried tar, pitch, and tobacco, which was delivered at Havana about the 15th of June, with the cargo she had on board when taken. The voyage would have ended on her return to Nassau.

13th interrog. To the thirteenth interrogatory deponent answers, that she carried tar, pitch, and tobacco, when she left Nassau, and had 150 sacks of salt, 25 sacks of coffee, 5 bbls of oil, 4 hogsheads soda, 1 bale dry goods, boxes and packages of merchandise on board when she was taken.

14 interrog. To the fourteenth interrogatory deponent answers, that he don't know who owns the vessel or cargo.

15 interrog. To the fifteenth interrogatory deponent answers, that he don't know whether any bill, or sale, or agreement was made for the vessel or not.

16 interrog. To the sixteenth interrogatory deponent answers, that the cargo was put on board in Havana, in June, 1862. He don't know who shipped it nor who were the owners. It was consigned to some person in New Orleans; he believes it was to be delivered at New Orleans. The merchandise on board is as before stated; further he saith not.

17 interrog. To the seventeenth interrogatory deponent
23 answers, that he never saw any bills of lading for the cargo.

18 interrog. To the eighteenth interrogatory deponent answers, that he had no papers or letters of any kind, relating to the vessel or cargo. He believes she had regular ship's papers on board, which were taken out by Mr. Jones, the officer from the Beauregard.

19 interrog. To the nineteenth interrogatory deponent answers, that he don't know the lat. or long. of the vessel when she was taken. She was to the northward of Cedar Keys, he believes. She was in sight of the Florida coast. She was taken on the 20th of June, about 10 o'clock in the morning. He don't know whether there was any charter party or not for the voyage.

20 interrog. To the twentieth interrogatory deponent answers, that he believes she had the regular ship's papers on board when she left Havana; none were burnt or destroyed, to his knowledge, in any manner, nor concealed.

21st interrog. To the twenty-first interrogatory deponent answers, that he knew that the port of New Orleans had been declared open before the Lucy took in her cargo at Havana.

22nd interrog. To the twenty-second interrogatory deponent answers, that it was advertised in the papers that the port of New Orleans was open. Further he don't know.

23 interrog. To the twenty-third interrogatory deponent answers, that the papers of the vessel were examined on the 16 or 17 day of June, by an officer from a United States armed bark, who said the papers were all right. He don't think that the officer endorsed the papers of the vessel.

24 interrog. To the twenty-fourth interrogatory deponent
24 answers, that he don't know of the Lucy's ever having attempted to go into or come out of any blockaded port.

25 interrog. To the twenty-fifth interrogatory deponent answers, she has not been before seized, to his knowledge.

26th interrog. To the twenty-sixth interrogatory deponent answers, that he would only lose his wages; no indemnity, or satisfaction, or promise of satisfaction, has been received for this loss.

27th interrog. To the twenty-seventh interrogatory deponent answers, that there is no insurance on the vessel or cargo, to his knowledge.

28th interrog. To the twenty-eighth interrogatory deponent answers, that he don't know at whose risk of a market the cargo was to have been, on its being unladen.

29 interrog. To the twenty-ninth interrogatory deponent answers, that he don't know the place or country of growth or manufacture of the cargo.

30 interrog. To the thirtieth interrogatory deponent answers, that the cargo was brought on board by lighters, in the harbor of Havana, in June, 1862.

31st interrog. To the thirty-first interrogatory deponent answers, that he don't know of any other papers than those which were on board the Lucy at the time of her capture.

32d interrog. To the thirty-second interrogatory deponent answers, that the ship's papers were delivered by the captain to Mr. Jones, the boarding officer from the Beauregard, at the time of capture. He don't know where they are now.

33d interrog. To the thirty-third interrogatory deponent answers, that bulk was not broken.

25 34th interrog. To the thirty-fourth interrogatory deponent answers, that there was one man on board who stowed himself away on board at Havana; his name, he says, is Paul Regan; he believes that he is English; he don't know his occupation; he said that he wanted to go to New Orleans; he had no control or authority over the vessel or cargo; he don't know the residence of any person on board except himself.

35th interrog. To the thirty-fifth interrogatory deponent answers, that he believes that all the papers found on board were true and fair, to the best of his knowledge; he knows of no matter or circumstance to effect their credit; he was not present when any of them were taken out; he don't know who obtained them; he don't know of any one on board who had any passport; he don't know of any papers relating to the vessel or cargo being sent anywhere; he has only signed the shipping articles and receipts for the cargo, as it came on board.

36 interrog. To the thirty-sixth interrogatory deponent answers, that he first saw the Beauregard on the morning of the capture, about seven or eight o'clock. The Lucy was steering to northard and westard, working off shore into deeper water; the wind was light from the southard and westward, and raining; the course was not changed after seeing the Beauregard; her course had not been directed at all times towards New Orleans; they had been trying to get to some blockade vessel to get a navigator; after they had been boarded by the officer of the United States bark, they stood

26 to the northard to make Tortugas light; they did not make the light; they continued on the northerly course to fall in with some vessel, to get a navigator; on the 19 of June, in the afternoon, they spoke a fishing smack, and asked them if they could tell where there was a blockading vessel, so as to get a navigator; the persons on board the smack told them that there was a blockading vessel bearing north at Cedar Keys; the Lucy continued north till about 3 o'clock the next morning, the 20th of June; she run aground at daylight; they got her off and stood to the northard and westard, working off shore into deep water, till the Beauregard found them; when the boats were seen from the Beauregard, they tacked ship towards her, and hauld the jib down; he don't know how far they were from New Orleans when they were taken.

37 interrog. To the thirty-seventh interrogatory deponent answers, that he don't know of any sales or transfers of the vessel; if restored he don't know to whom she would belong.

38 interrrog. To the thirty-eighth interrogatory deponent answers, that there were no guns mounted on board; no arms or ammunition belonging to her; the captain had one pistol; no articles of the kinds enquired about on board.

39th interrog. To the thirty-ninth interrogatory deponent answers, that he don't know who owns the vessel or cargo; she was going to New Orleans.

40 interrog. To the fortieth interrogatory deponent answers, she had no convoy; he had no instructions or directions of the kind.

41st interrog. To the forty-first interrogatory deponent
27 answers, that she has not attempted to enter or come out from any port under blockade, to his knowledge.

42nd interrog. To the forty-second interrogatory deponent answers, that she has not had any commission or letters of marque, to his knowledge.

43d interrog. To the forty-third interrogatory deponent answers, that she has not so acted, to his knowledge.

1st additional interrogatory. To the first additional interrogatory answers, that they should have worked around the shore towards New Orleans, to try to get a navigator, and would have gone to New Orleans, if they could have got there, had she not been seized. After going to New Orleans, they would have gone to Nassau, where the voyage would have been up.

2nd additional interrogatory. To the second additional interrogatory deponent answers, that she draws about five feet loaded; she drew four feet eight inches when taken; he don't know why she was not loaded deeper.

3d additional interrogatory. To the third additional interrogatory deponent answers, that he did not hear any one say, at any time, that she was going to run or break any blockade.

(Signed) AMBROSE ALLEN.

28 *Deposition of Lewis Long, before George D. Allen, prize commissioner, at Key West, Fla., 15th day of July,* 1862.

1st interrog. To the first interrogatory deponent answers, that he was born in Bremen; he has been at sea the last sixteen years, without any fixed place of abode; is a citizen of the Free City of Bremen; is not married; is not a citizen of the United States.

2nd interrog. To the second interrogatory deponent answers, that he was present at the capture.

3d interrog. To the third interrogatory deponent answers, that she was captured about twenty-five days ago, about eight or nine miles from land; he did not know the coast; she was taken into Egmont Key, thence to Key West; she had no commission or letters authorizing her to make prizes, to his knowledge.

4th interrog. To the fourth interrogatory deponent answers, that she sailed under English colors; she had an American ensign on board; he don't know why she had the American flag.

5th interrog. To the fifth interrogatory deponent answers, that no resistance was made to the capture, no guns fired; the vessel which made the capture was called the Beauregard; no other vessel in

sight; the Lucy is a merchant vessel; the Beauregard is an armed vessel of three guns, sailing under the American flag.

29 6 interrog. To the sixth interrogatory deponent answers, that he don't know what commission the Beauregard had; she made the capture alone; he don't know as the Lucy has been condemned.

7 interrog. To the seventh interrogatory deponent answers, that her name is the Lucy; Captain William Austin was master. He don't know who appointed him to the command; he has known the vessel since about the 17th of May, and the captain about the same time; he believes the captain took command of her in Nassau; he believes that he is English; further he saith not.

8th interrog. To the eighth interrogatory deponent answers, that he thinks she is about forty tons; six all told belonged to the company of the vessel; all on board when she was taken; they are mostly Irish; the captain shipped him, and he believes the others, in Nassau, about the 20 of May.

9 interrog. To the ninth interrogatory deponent answers, that he belonged to the company of the vessel; was a seaman; he had no part, share, or interest in the vessel or her lading; he don't know of any one on board who had.

10th interrog. To the tenth interrogatory deponent answers, that he has known the said vessel since about the 17 of May; first saw her at Nassau; she had no guns; seven men in all were on board; he don't know what country build she was; her name is the Lucy; he don't know of any other name she has been called by.

11th interrog. To the eleventh interrogatory deponent an-

30 swers, that she was going to New Orleans, then back to Havana or Nassau; the voyage began at Nassau and would have ended on her return to Nassau; she carried tar, pitch and tobacco and rosin, from Nassau to Havana, and had coffee, salt, oil, soda and boxes and bales of goods on board when she was taken, which were put on board in June, 1862; she had no contraband or prohibited goods on board to his knowledge.

12 interrog. To the twelfth interrogatory deponent answers, that he don't know what papers she had; she sailed from Nassau to Havana with a cargo of pitch, tar, tobacco and rosin, and delivered it at Havana; at Havana she took on board the cargo which she had when taken; she sailed from Havana about a month ago.

13th interrog. To the thirteenth interrogatory deponent answers, that she carried pitch, tar, rosin and tobacco when she left Nassau, and had a cargo consisting of 150 sacks of salt, 25 sacks of coffee, 63 boxes of soap, 4 hogsheads of soda, 5 barrels of oil, boxes and bales of goods on board when she was taken, which were put on board in June, 1862.

14 interrog. To the fourteenth interrogatory deponent answers, that he don't know who owns the vessel or the cargo.

15th interrog. To the fifteenth interrogatory deponent answers, that he has no knowledge of any bill of sale or agreement for the vessel.

31 16th interrog. To the sixteenth interrogatory deponent answers, that the cargo was put on board in Havana, in June, 1862; he don't know who shipped it, nor who owned it, nor to whom it was consigned; he believes the cargo was to be delivered at New Orleans, because they shipped to go there; the quantities are as before mentioned, and further he saith not.

17th interrog. To the seventeenth interrogatory deponent answers, that he don't know of any bills of lading being signed for the cargo.

18th interrog. To the eighteenth interrogatory deponent answers, that he had no letters or papers relating to the vessel or cargo; the papers of the vessel were taken on board the Beauregard on the day of capture.

19th interrog. To the nineteenth interrogatory deponent answers, that he cannot tell the lat. or long. of the vessel when she was taken, nor the day of the month; she was in sight of land, about seven or eight miles off; there was no charter party to his knowledge.

20 interrog. To the twentieth interrogatory deponent answers, that he did not know what papers were on board; none were burnt, thrown overboard, or destroyed in any manner, or hid away, to his knowledge.

21st interrog. To the twenty-first interrogatory deponent answers, that he heard that the port of New Orleans was open when they were in Havana.

32 22nd interrog. To the twenty-second interrogatory deponent answers, that he saw in the New York Herald that the blockade of New Orleans was taken off.

23rd interrog. To the twenty-third interrogatory deponent answers, that the papers were examined by an officer from a United States bark the second day (he thinks) out from Havana; further he saith not.

24 interrog. To the twenty-fourth interrogatory deponent answers, that he don't know.

25 interrog. To the twenty-fifth interrogatory deponent answers, she has not been before seized to his knowledge.

26th interrog. To the twenty-sixth interrogatory deponent answers, that he would only lose his wages; no indemnity, or satisfaction, or promise of satisfaction has been received for this loss.

27st interrog. To the twenty-seventh interrogatory deponent answers, that he don't know.

28th interrog. To the twenty-eighth interrogatory deponent answers, that he don't know.

29 interrog. To the twenty-ninth interrogatory deponent answers, that he don't know.

30th interrog. To the thirtieth interrogatory deponent answers, that the cargo was brought on board the vessel by lighters in Havana, in June, 1862.

31st interrog. To the thirty-first interrogatory deponent answers, that he don't know.

32nd interrog. To the thirty-second interrogatory deponent an-

swers, that he believes the vessel's papers were taken by the officers of the Beauregard on the day of capture; he don't know where they are now.

33d interrog. To the thirty-third interrogatory deponent answers, that bulk was not broken.

33 34 interrog. To the thirty-fourth interrogatory deponent answers, that there was one man on board who had stowed himself away on board in Havana; he calls himself Paul Regan, says he is English, and had been in New Orleans; he was trying to get back to New Orleans; he don't know where any of the persons on board the vessel reside, except himself.

35th interrog. To the thirty-fifth interrogatory deponent answers, that he don't know who took out the papers of the vessel, nor anything about them; Paul Regan, he believes, had a passport; he don't know from whom; he has no knowledge of any papers relating to the vessel or cargo; he has not written or signed any letters or papers relating to the vessel or cargo.

36 interrog. To the thirty-sixth interrogatory deponent answers, that the Beauregard was seen at daylight on the morning of the day of capture; the Lucy was steering to the westward, close-hauled on the wind; the wind was about southwest and very light; she had been working of shore to get into deeper water; she had been aground on a bank the latter part of the night; she tacked ship several times to get into deeper water; when they saw the boat coming from the Beauregard they tacked and stood towards her; there was no wind, scarcely enough to get around; she went on west by north and west, northwest, for thirty-six or thirty-seven hours after leaving Havana;

34 when the officer from the United States bark came on board the captain, or mate, inquired how Tortugas bore; the officer said that he could not tell; the second night out from Havana the Lucy changed her course to the north; the day before the capture they spoke a smack; the captain asked how Cedar Keys bore; the reply was that Cedar Keys bore north and that there was a blockading vessel there; they kept on the same course and went aground the latter part of the night.

37 interrog. To the thirty-seventh interrogatory deponent answers, that he knows nothing about any of the sales or transfers of the vessel; if restored he don't know to whom she would belong.

38 interrog. To the thirty-eighth interrogatory deponent answers, that she had no guns mounted on board, no arms or amunition belonging to her; the captain had a pistol; no other articles of the kinds enquired about on board.

39 interrog. To the thirty-ninth interrogatory deponent answers, that he don't know who owns the vessel or cargo; he believed the vessel was bound to New Orleans.

40th interrog. To the fortieth interrogatory deponent answers, that she had no convoy; he did not know of any instructions or directions of the kind.

41st interrog. To the forty-first interrogatory deponent answers,

that she has not attempted to go into or come out of any port under blockade to his knowledge.

42d interrog. To the forty-second interrogatory deponent answers, that he don't know.

43 interrog. To the forty-third interrogatory deponent an-
35 wers, that she has not so acted to his knowledge.

1st additional interrogatory. To the first additional interrogatory deponent answers, that she would have gone to New Orleans and back to Havana or Nassau, to the best of his belief, had she not been captured.

2nd additional interrogatory. To the second additional interrogatory deponent answers, that she draws about five feet fully loaded; she drew about four feet seven or eight inches when taken; he did not know why she was not loaded deeper.

3d additional interrogatory. To the third additional interrogatory deponent answers, that he did not hear any one say anything about her running or breaking any blockade at any time.

(Signed) LEWIS LONG.

36

37 District Court of the United States for the southern district of Florida.

THE UNITED STATES
vs.
THE SCHOONER LUCY AND CARGO. } Prize.

Papers returned as found on board the said vessel, the schooner "Lucy," and read in evidence, on the hearing of this cause:

License.

To all to whom these presents shall come or may concern, greeting:

William Austin, master of the Brit. sch'r "Lucy," of Nassau, (New Providence,) having exhibited to me a manifest or descriptive statement of his cargo and list of crew, and having verified the same by his oath, (or solemn affirmation,) and having satisfied myself that the said vessel is intended in good faith for a lawful trade, and only for a lawful trade, permission is hereby granted, in pursuance of the proclamation of the President of the United States, and the regulations of the Secretary of the Treasury issued on the 12th May, 1862, for the said vessel to proceed to the port of New Orleans, in the State of Louisiana, in the United States of America, and to leave said port for any lawful destination, on the conditions hereafter mentioned, to wit: That the said vessel will convey no persons, property, or information contraband of war, either to or from the
38 said port; that this license shall be exhibited to the collector of customs at the port immediately upon arrival, and to the officer in charge of the blockade on entering the port if required; and that the master and all persons concerned in the management and control of the vessel and cargo, shall faithfully comply with the revenue laws and regulations of the United States, and with the conditions of this license; that the vessel is to go up to New Orleans by the way of the Mississippi river.

Any violation of the conditions of this license will involve the forfeiture and condemnation of the vessel and cargo, and the exclusion of all parties concerned from any further privileges of entering the United States, during the war, for any purpose whatever.

Officers of vessels of war and all other persons will respect this license, and permit the said vessel to proceed on her voyage unmolested, while prosecuting the same in conformity with its conditions. It is understood that this vessel will carry no passengers.

Given under my hand and the seal of the consulate general of the United States, at Havana, this 13th day of June, A. D. 1862.

[SEAL.] (Sig'd) R. W. SHUFELDT,
U. S. Consul Gen'l, Havana.

A proclamation.

39 Whereas, by my proclamation of the nineteenth of April, one thousand eight hundred and sixty-one, it was declared that the ports of certain States, including those of Beaufort, in the State of North Carolina, Port Royal, in the State of South Carolina, and New Orleans, in the State of Louisiana, were for reasons therein set forth intended to be placed under blockade; and whereas the said ports of Beaufort, Port Royal, and New Orleans have since been blockaded, but as the blockade of the same ports may now be safely relaxed with advantage to the interests of commerce:

Now, therefore, be it known that I, Abraham Lincoln, President of the United States, pursuant to the authority in me vested by the fifth section of the act of Congress approved on the 13th of July last entitled, "An act further to provide for the collection of duties on imports and for other purposes," do hereby declare that the blockade of the said ports of Beaufort, Port Royal, and New Orleans, shall so far cease and determine, from [from] and after the first day of June next, that commercial intercourse with those ports except as to persons, and things, and information contraband of war, may, from that time, be carried on subject to the laws of the United States, and to the limitations and in pursuance of the regulations which are prescribed by the Secretary of the Treasury in his order of this date, which is appended to this proclamation.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

40 Done at the city of Washington this twelfth day of May, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States the eighty-sixth.

[L. S.] (Sig'd) ABRAHAM LINCOLN.

By the President:

(Sig'd) WILLIAM H. SEWARD,
Secretary of State.

Regulations relating to trade with ports opened by proclamation.

TREASURY DEPARTMENT, *May 12th*, 1862.

1. To vessels clearing from foreign ports and destined to ports opened by the proclamation of the President of the United States of

this date, namely: Beaufort in North Carolina, Port Royal in South Carolina, and New Orleans in Louisiana, licenses will be granted by consuls of the United States upon satisfactory evidence that the vessels so licensed will convey no persons, property or information contraband of war either to or from the said ports, which licenses shall be exhibited to the collector of the [the] port to which said vessels may be respectively bound immediately on arrival, and if required, to any officer in charge of the blockade. And on leaving either of the said ports every vessel will be required to have a clearance from the collector of the customs, according to law, showing no violation of the conditions of the license. Any violation of said con-
41 ditions will involve the forfeiture and condemnation of the vessel and cargo, and the exclusion of all parties concerned from any further privilege of entering the United States during the war for any purpose whatever.

2. To vessels of the United States clearing coastwise for the ports aforesaid, licenses can only be obtained from the Treasury Department.

3. In all other respects the existing blockade remains in full force and effect as hitherto established and maintained, nor is it relaxed by the proclamation, except in regard to the ports to which the relaxation is by that instrument expressly applied.

(Sig'd) S. P. CHASE, *Secretary of the Treasury.*

Freight list of the English schooner "Lucy," Austin, capt., bound to New Orleans.

Shippers.	Consignees.	Marks and nos.	Goods.
Louis Alum.	Order.	Without.	25 bags coffee, 3,886 lbs.
"	"	"	40 boxes soap, 4,656 lbs.
"	"	"	25 " soap, 1,400 lbs.
"	"	"	2 cases spool cotton.
"	"	[R] 39-14	2 packages dry goods.
"	"	2	1 box dry goods.
"	"	"	5 barrels kereosene oil.
"	"	P L F x C W	2 bags pepper, 228.
"	"	6 [a] M 486 800 495	3 bales dry goods.
"	"		1 package dry goods.
"	"		1 case thread, 240.
42 "	"		2 boxes letter paper.
"	"	[A] 8-11	4 casks soda ash, 3,254 lbs.
"	"	[A] $\frac{1}{2}$	2 boxes with drugs.
"	"	3-5	3 kegs " drugs.
"	"	6	1 barrel castor oil, 357
"	"	7	1 barrel epsom salt, 215.
"	"		3 boxes cont'g dry goods.
"	"		1 package thread.
"	"		1 box quinine.
"	"		150 bags salt.

Havana, the 12th June, 1862.

(Sig'd) LOUIS ALUM.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Havana, Cuba.

I, William Austin, the present master of the British schooner "Lucy," of Nassau, New Providence, do solemnly and truly swear that the foregoing is a true and correct manifest of the cargo of the said schooner now lying in the port of Havana, and intending to proceed to New Orleans, and from thence return to Havana; that there are no other goods or property, except the baggage of her officers, and crew now on board of said schooner, and none will be received after this; that she carries no person, property or information contraband of war; and that I will not, nor permit any one else connected
43 with her to do any act violative of the proclamation of the United States, or of the regulations thereto appended of the Treasury Department, both of the 12th of May last, under which vessels are admitted to certain ports in the south of the United States heretofore blockaded by the U. S. forces.

(Sig'd) WILLIAM AUSTIN.

Sworn to and subscribed before me at Havana, this 13th day of June, 1862; and I do further certify that I am satisfied the said William Austin, who subscribed the foregoing affidavit, is the person he represents himself to be; that he is a credible person, and that the statements made by him under said oath are true.

[SEAL.] (Sig'd) R. W. SHUFELDT,
U. S. Consul General.

One hundred and one

[British Coat of Arms.]

No. 101. 21 Vic., Ch. 1. 34 tons. Bahama islands.

By Fletcher Whitley, receiver general and treasurer of the said islands:

These are to license for one year only the Bahama schooner Lucy, of and belonging to the port of Nassau, New Providence,
44 whereof Char's W. Dexter, of Havana, is owner, to sail and be employed as a wrecking vessel within the limits of the government of the Bahama islands, under the authority of the licensed vessels act 1858.

Given under my hand at Nassau, this twentieth day of May, in the year of our Lord one thousand eight hundred and sixty-two.

(Sig'd) F. WHITLEY,
Receiver General and Treasurer.

45 One sealed package, endorsed as follows:

Dela Habana para New Orleans, Gta Ingsa Lucy, Capitan Austino.

(Sig'd.) [SEAL.] ADMUNIN.

Entregado 13 de Junio, de 1862.

[Translation.]

From Havana for New Orleans, English schooner Lucy, Captain Austin.

(Sig'd) ADMUNIN.

Delivered 13 of June, 1862.

The said package upon being opened was found to contain the following documents, as follows, to wit:

Registra de Salida, No. 736.—*Poliza No.* 1.

Louis Alum embarca para N. Orleans, en la Gol. Ing. Lucy, su Capitan Austin, que se halla con registro abierto para dicho destino, con el numero de su encabezamiento, los generos que se espresaran ex is tentes en los almacenes de deposito de su pertenencia, segun el reconocemiento que se ha practicado para el pago de los derechos, de salida, cuya, entrada en los referidos almacenes se hiso bajo los datos seguientes.

Manifesto, No. 364, *de la frag Queen Adalem.*

A W $\frac{1}{25}$. 25 veinle y cinco sacos de cafe con peso de cuatro mil libras netas.

(Sig'd) SENTADA.

Habana, y Junio 4, de 1862.

Por dho Sor.

(Sig'd) M. ROURA.

46 Es conforme con la primera en que cousto haberse satisfecho el correspondiente derecho de salida del deposito.

Habana, Junio, 4 de 1862.

(Sig'd) RULLE.

[Translation.]

Outward register, No. 736.—*Policy, No* 1.

Louis Alum embarks for N. Orleans in the Eng. sch'r Lucy, her capt'n Austin, who has open register for said destination, with the number above stated, the goods expressed as existing in the public stores, appertaining to him, according to the steps which have been taken for the payment of the outward duties, which entry, in the said stores, was made under the notes following:

Manifest, No. 364, *of the ship Queen Adalen.*

A. W, $\frac{1}{25}$. 25 (twenty-five) bags coffee, weighing four thousand pounds nett.

Havana, June 4, 1862.

For said gentleman.

(S'd) SENTADA.

(Sig'd) M. ROURA.

It is in conformity with the first wherein it is certified that the corresponding outward duties of deposit are satisfied.

(Sig'd) RULLE.

736. *Pa.* 2.

S'R ADMOR G'RAL: Sirvase VS permitirme embarcar en la gol.
47 Ing. Lucy, su Cap. Austin, pd Nueva Orleans.
75 sentenda y cenco cajasde jabon.
Hab'a y Junio 5 de 1862.

p. LOUIS ALLUM.
(Sig'd) DOMINGO DEL CORRAL.

Embarquese con conocimiento del S'or Inspector de Muelles Junio, 5 de 1862.

(Sig'd) ADMUNIN,
Caballera.
(Sig'd) AMPUDIA.

[Translation.]

736. *Py.* 2.

COLLECTOR GENERAL: Please your honor, permit me embark in the English schooner Lucy, her captain Austin, for New Orleans, 75 (seventy-five) boxes of soap.
Havana, June 5th, 1862.

(Sig'd) Pr. LOUIS ALLUM.
DOMINGO DEL CORRAL.

Let it embark with the knowledge of the inspector of wharves.
June 5, 1862.

(Sig'd) NOTEN.
(Sig'd) ADMUNIN, *Cavalry.*
(Sig'd) AMPUDIA.

736. 3.

S'OR ADMOR. GRA'L: Sirvase V. S. pertrutirme embarcar en la gol. Ing. Lucy pa Nueva Orleans su Cap. Austin:
48 4 quatro fardos de generos;
2 dos, cajas de id;
5 cinco carriles de accite de carbon.
Habana, y Junio 6, de 1862.

Por LOUIS ALUM.
(Sig'd) DOMINGO DEL CORRAL.

Embarquese con conocemiento del s'or inspector de muelles.
Junio6, 1862.

(Sig'd) NOTEN.
(Sig'd) ADMUNIN, *Caballeria.*
(Sig'd) AMPUDIA.

[Translation.]

736 3.

COLLECTOR GENERAL: Please your honor permit me embark in the English schooner Lucy, for New Orleans, her captain Austin:
4 (four) bales of dry goods;
2 (two) boxes of ditto;
5 five barriles of kerosene oil.
Havana, June 6, 1862.

Per LOUIS ALLEM.
(Sig'd) DOMINGO DEL CORRAL.

Let it embark with the knowledge of the inspector of wharves.
June 6, 1862.
(Sig'd) NOTEN.
(Sig'd) ADMUNIN, *Cavalry.*
(Sig'd) AMPUDIA.

Registro De Salida, No. 736.—*Poliza, No.* 4.

Louis Allum embarca para New Orleans en la Gol. Ing. Lucy, su Capitan Austin, que se halla con registro abierto pera dicho
49 destino, con el numero de su encabezamiento los generos que se espresaian, existentes en los almacenes de deposito de su pertenencia, segun el reconocimiento que se ha practicado para el pago de los derechos de salida cuja entrada en los referidos almacenes se hiza bajo los datos signentes.

Manifiesto No. 497 *del vapor Ing. Avon, de St. Thomas.*

[C. W.] 1 uno caja con cien onzos sulphato de quinnia.
Per d ho sor.
Habana y, Junio 7, de 1862.
(Sig'd) SENTADA.
(Sig'd) M. ROURA.

Es conforme con la primera enqe. consta quedar enterado el dro, de salida del depto.
Habana, Juno 7, de 1862.
(Sig'd) NYN.

[Translation.]

Outward register, No. 736.—*Policy No.* 4.

Louis Alum embarks for New Orleans in the English schooner Lucy; her captain, Austin, who has open register for said destination, with the number above stated, the goods expressed as existing in the public stores appertaining to him, according to the steps which have been had for the payment of the outward duties, which entry in the said stores was made under the notes following:

50 *Manifest No.* 497, *of the English steamer Avon, from St. Thomas.*

[C. W.] 1 (one) box with one hundred ounces sulphate of quinine.
For said gentleman.
Havana, June 7th, 1862.
(Sig'd) M. ROURA.

It is in conformity with the first, wherein it is certified that the corresponding outward duties of deposite satisfied.
Havana, June 7th, 1862.
(Sig'd) NYN.

Registro de Salida, No. 736.—*Poliza No.* 5.

Louis Alum embarca para New Orleans, en la gol. Ing. Lucy, su Capitan Austin, que se halla con registro abierto para dicho destino con el numero de su encabazamiento, los generos, que se espresaiare existentes en los almacenes de deposits de su pertenencia segun el reconocimiento que se ha practiado para el pago de los derechos de salida cuya entrada en los referidos almacenes se hizo bajo los datos segurentes.

Manifiesto No. 151 *del Bu espl Horatio procerte de Burdeos.*

C. C. & C. 1 una caja con cien resmas de papel de cartas.
Per dho sor.
Habana, Junio 7 de 1862.
(Sig'd) M. ROURA.
(Sig'd) SENTADA.

51 Es conforme con la premera en que consta haberse satisfecho el correspondiente derecho de salida del deposito.
Habana, 7 de Junio, de 1862.
(Sig'd) NYN.

[Translation.]

Outward register, No. 736.—*Policy No.* 5.

Luis Alum embarks for New Orleans in the English schooner Lucy; her captain, Austin, who has open register for said destination, with the number above stated, the goods expressed as existing in the public stores, appertaining to him according to the steps which have been had for the payment of the outward duties, which entry in the said stores was made under the notes following:

Manifest No. 151 *of the Spanish brig Horatio, from Bordeaux.*

C. C. & C. 1 (one) box with one hundred reams of letter paper.
For said gentleman.
Havana, June 7th, 1862.
(Sig'd) M. ROURA.

It is in conformity with the first, wherein it is certified that the corresponding duties of deposite are satisfied.

Havana, June 7th, 1862.

(Sig'd) NYN.

52 736 6

SR. ADMOR G'RAL: Sirvase V. S. permitirme embarcar en la gol. Ing. Lucy, su capitan Austin, pa Nueva Orleans.

2 dos sacos de pimienta.

Hab'a y, Junio 7, de 1862.

(Sig'd) LUIS ALUM.

Embarquese con conocimiento del sor inspector de muelles, Junio 7, 1862.

(Sig'd) LEON.
(Sig'd) ADMUNIN, *Caballeria.*
(Sig'd) AMPUDIA.

[Translation.]

736 6

COLLECTOR GENERAL: Please your honor permit me embark in the English schooner Lucy, her captain Austin, for New Orleans:

2 (two) bags pepper.

Havana, June 7th, 1862.

(Sig'd) LUIS ALUM.

Let it embark with the knowledge of the inspector of wharves.

June 7. 1862.

(Sig'd) LEON.
(Sig'd) ADMUNIN, *Cavalry.*
(Sig'd) AMPUDIA.

Registro de Salida, No. 736.—*Poliza No.* 7.

53 Ulrici y Baraoso embarca para New Orleans en la gol. Ing. Lucy, su Capitan Austin, que se halla con registro abierto para dicho destino con el numero de su encabez amiento, los generos que se espresaran existentes en los alamanes de deposito de su pertenencia, segun el reconocimiento que se ha praticado para el pago de los derechos de salida cuja entrada en los referidos almacenes se hizo bajo los datos siquientes.

Manifesto No. 471, *de la fragto Ing'la Alonmouth, procedente de Liverpool.*

(50) cincuenta sacos de sal conpese de cien quintales.

Por dho sres.

Habana, Junio 12, de 1862.

(Sig'd) SENTADA.
(Sig'd) E. A. TELL.

Es conf'l con la prmer a engl. consta quedar abonado el dro de salida del dept.

Habana, Junio 12, de 1862.

(Sig'd) NYN.

[Translation.

Outward register, No. 736.—Policy No. 7.

Ulrici and Baroso embarks for New Orleans in the English schooner Lucy; her captain, Austin, who has open register for said destination, with the number above stated, the goods expressed as existing in the public stores appertaining to him, according to the steps
54 which have been had for the payment of the outward duties, which entry in the said stores was made under the notes following:

Manifest No. 471, of the English ship Alonmouth, from Liverpool.

(50) fifty bags of salt, with the weight of one hundred quintals. For said gentleman.
Havana, June 12, 1862.
(Sig'd E. A. TELL.

It is in conformity with the first, wherein it is certified that the outward duties of deposite are paid.
Havana, June 12, 1862.
(Sig'd) NYN.

Invoice of sundries shipped by Louis Alum, on board the English schooner Lucy, Austin, master, bound to New Orleens, consigned to order.

		25 bags coffee, 3,886 lbs. a 17c.....	660 62
		40 boxes soap, white, 4,656 lbs. a 6½c....	302 64
		25 boxes yellow soap, 1,400 lbs., 7c.....	98 00
		2 cases spool cotton, 500 yds., 198 doz., 95c.....	188 10
[R]	39	1 package, with 12 pieces printing, 852 yards, 1⅜.....	146 40
55	14	1 package with 31 pieces blue drill, 1,240 yards, 1,339 varas, 1½.....	209 20
	2	1 box, cont'g 32 pieces white drill, 1,280 yards, 1,382 varas 1⅛.....	194 30
P L C + C W		5 barrels kerosene oil, 211½ g'lls., 60c..	126 90
		2 bags pepper, 228 lbs, 21c.....	45 00
[6 [a]	486		
	893	3 bales bleach sheating, 5,550 yds, 9c..	499 50
	495		
		8 dozens cambric handkerchief, $4.....	32 00
		240 lb. linnen thread, 60c.....	144 00
		100 reams letter paper, $2.....	200 00
		100 ounces quinine, $3.....	300 00
[A]	8-4	4 casks soda ash, 850, 860, 866, 678—3,254 lbs, 5c.....	168 70
[a]	½	2 boxes, containing—	

	10 pieces Espadadropo, 10 yds. each, 5c..		50 00
	3 lbs. ipecacuanah powder, $4		12 00
	25 lb. calomel, $1½		37 50
	5 lb. rhubarb, $2⅛		10 62
	4 ounces sulphate morphine, $6⅜		25 50
	2 lb. tartar emetic, 1¼		2 50
	50 lb. gum Arabic, 50 c		25 00
	10 lb. potass sod. 4⅛		42 50
[A]	6 botls 7 lbs. balsam copaiva, 75		6 65
4-8	3 kegs, 345 lbs., bicarbonate soda, 12½ ..		43 12
6	1 barrel caster oil, 357 lbs, 36c		128 52
7	1 barrel epsom salts, 215 lbs		10 50
	1 box, con'g 30 pieces, 90 yds. cambric, 32c		289 28
Caballeria.	1 box, con'g 100½ doz. socks, 19 rls. p. doz		237 78
	1 box, con'g 10 pieces striped linnen, 900 yds., rls 1¼		140 67
	1 package thread, sample 1 lb., 4		56¼
			$4,372 71
56	Duty for 25 bags coffee	1 00	
	Cartage, workmen, weighing, &c.	29 50	
	Lighterage	21 25	
			51 75
			4,424 46
	Commissions, 2½ p. c		110 58
			4,535 04

Havanna, the 11th June, 1862.

(Sig'd) LUIS ALUM.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Island of Cuba:

I, Luis Alum, of Havana, do solemnly and truly swear that the merchandise described in the invoice subscribed by my proper signature, amounting to four thousand five hundred thirty-five and 4-100 dollars, now produced to R. W. Shufeldt, consul general of the United States for the island of Cuba, residing at Havana, and hereunto annexed, and which were shipped at Havana per Eng'l's schr. Lucy, Captain Austin, for New Orleans, were actually purchased for my own account; that the said invoice, which goes to the consignment of Antonio Peira, contains a true and faithful account of the actual cost thereof, and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in said invoice, but such as have been actually allowed on the same.

(Signed) LUIS ALUM.

57 Sworn to and subscribed before me at Havana this 13th day of June, A. D. 1862, and of the independence of the United States of America the 86; and I do further certify, that I am satisfied the said Luis Alum, who subscribes the foregoing oath, is the person he represents himself to be; that he is a credible person, and that the statements made by him under said oath are true.

[SEAL.] (Sig'd) R. W. SHUFELDT,
U. S. Consul General.

Invoice of 150 *bags salt shipped by Luis Alum, on board the English schooner Lucy, Austin cap., bound to New Orleans, consigned to order.*

150 bags salt, @ $1 per bag	$150 00
Export duty	5 20
Expenses shipping	4 80
Commission, 2½ p. c	3 75
	$163 75

Havana, the 11 June, 1862.
(Sig'd) LUIS ALUM.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Island of Cuba:

I, Luis Alum, of Havana, do solemnly and truly swear that the 150 bags salt described in the invoice subscribed by my proper signature, amounting to one hundred sixty-three 75-100 dollars, now produced to R. W. Shufeldt, consul general of the United States for the island
58 of Cuba, residing at Havana, and hereunto annexed, and which were shipped at Havana per English schooner Lucy, Captain Austin, for New Orleans, were actually purchased for my own account; that the said invoice, which goes to the consignment of Antonio Peira, contains a true and faithful account of the actual cost thereof, and of all charges thereon; and that no discount, bounties, or drawbacks are contained in the said invoice but such as have been actually allowed on the same.

(Sig'd) LUIS ALUM.

Sworn to and subscribed before me at Havana this 13th day of June, A. D. 1862, and of the independence of the United States of America the 86; and I do further certify that I am satisfied the said Luis Alum, who subscribed the foregoing oath, is the person he represents himself to be; that he is a credible person, and that the statements made by him under oath are true.

[SEAL.] (Signed) K. W. SHUFELDT,
U. S. Consul General.

Shipped in good order and well conditioned by Luis Alum, in and upon the good English schooner Lucy, whereof Austin is master, for

this present voyage, and now lying in the port of Havana, and bound for New Orleans, to say:

251 bags coffee, 3,856 lbs.
59 65 boxes soap, 1,400—4,656.
2 boxes spool cotton, and 1 package and 1 case thread.
4 boxes and 3 bales and 3 packages dry goods.
2 bags pepper, 228 lbs.
4 casks soda ash, 3,254 lbs.
2 boxes letter paper.
2 boxes and 3 kegs drugs.
1 barrel caster oil and 1 barrel epsom salts, 572 lbs.
5 bbls. kerosene oil.
1 box quinine.
150 bags salt.

Being marked and numbered as in the margin, and to be delivered in the like good order and condition at the aforesaid port of New Orleans, all [all] and every of the dangers and accidents of seas and navigation, of whatever nature or kind, excepted unto order or to , assigns, he or they paying freight for the said goods as per charter party, with primage and average accustomed.

In witness whereof the master or purser of the said vessel has affirmed to four bills of lading, all of this tenor and date, one of which being accomplished, the others to stand void.

Dated in Havana, the 10 June, 1862.

Weight and contents unknown.

(Sig'd) WILLIAM AUSTIN.

Charter party.

It is this day mutually understood and agreed upon between William Austin, in behalf of the owners of the British schooner Lucy, of 34 tons, whereof the same is master, now lying in Havana, on
60 the first part, and Mr. Luis Alum, merchant, on the second part, as follows:

That the said vessel being tight, staunch, strong, and in every respect fitted for the intended voyage, Captain Austin shall receive on board said vessel a full and complete cargo, to consist of lawful merchandise, under and on deck, contraband of war excepted, which shall not exceed what she can reasonably stow and carry, over and above her tackle, apparel, provisions, and room, sufficient for the accommodation of the officers and crew, and which cargo the said parties of the second part hereby agree to furnish at this port. The said vessel being so laden, Captain Austin shall, with all possible dispatch, make sail for the port of New Orleans and back to Havana, or so near thereunto as she may safely get, and on his arrival at the port of discharge make a true and faithful delivery of the cargo, according to custom and the bills of lading. In consideration whereof freight shall be paid on unloading and right delivery of the cargo at the rate of one thousand and two hundred dollars for the voyage. The lay days shall be as follows: Fifteen running days in Havana, and fifteen

days in New Orleans, after the expiration of which time demurrage shall be paid at the rate of twenty-five dollars for each and
61 every day as it may become due.

The cargo shall be delivered alongside of the vessel, at the expense of the shippers, and discharged according to custom at port of discharge.

The vessel shall be consigned, at Havana and New Orleans, to the order of the said merchants, paying usual commissions.

It is further understood and agreed upon, that the captain shall sign all bills of lading, without prejudice to this charter party.

And for the due performance of the several articles of this agreement, the respective parties do hereby bind themselves, each unto the other, in the penal sum of half-amount of freight, restraint of rulers, the acts of God, fire, all and every of the dangers of the seas, rivers, and navigation, of whatever nature and kind, always excepted.

In testimony whereof the respective parties have hereunto set their hands, in quadruplicate, at Havana, this 2nd day of June, in the year one thousand eight hundred and sixty-two.

(Signed) WILLIAM AUSTIN.
(Signed) LUIS ALUM.

Witness to the signature,
(Sig'd) N. REESSING.

62

63 FORM No. 9.—*Sailing ship.—Certificate of British registry.*

[British coat of arms.]

Official number of ship, Port number ..... 48.	Date of registry, 16th May, 1862.

Name of ship.	British or foreign built.	Port of registry.	How propelled.
"Lucy," and her foreign name is "Franklin."	Foreign time and place of build unknown.	Nassau, N. P.....	By sails.

Number of decks.....	One.	Build	Carvel.
Number of masts	Two.	Galleries	None.
Rigged.....	Schooner.	Head	Billet.
Stern	Square.	Frame-work	Wood.

Measurements.	Feet.	Tenths.
Length from fore part of stem, under the bowsprit, to the aft side of head of the stern-post	60	7
Maine breadth to outside plank	19	8
Depth in hold, from tonnage deck to ceiling, at midships....	4	5
Name and address of builder—unknown.		

Form No. 9.—Continued.

Tonnage.	No. of tons.	
Tonnage under tonnage deck	31	60
Closed in space above the tonnage deck, if any, viz:		
Space or spaces between decks		
Poop		
Round house		
Other inclosed spaces, if any, naming them—trunk	2	31
Total register tonnage	33	91-100

I, the undersigned registrar of the port of Nassau, N. P., hereby certify that the ship the description of which is prefixed to this my certificate has been duly surveyed, and that the above description is true; that William Austin, whose certificate of competency or service is No. , is the master of the said ship, and that the name, residence, and description of the owner, and number of sixty-fourth shares held by him, are as follows:

Name, residence, and occupation of the owner.	No. of sixty-fourth shares.
Charles W. Dexter, of New Castle upon Tyne, England, presently residing at Havana.	Sixty-four.

Dated at Nassau, N. P., Bahamas, the 16th day of May, one thousand eight hundred and sixty-two.

(Sig'd) F. WHITLEY, *Registrar.*

"NOTICE."—A certificate of registry, granted under the merchant shipping act, 1854, is not a document of title. It does not, necessarily, contain notice of all changes of ownership; and, in no case, does it contain an official record of any mortgages affecting the ship.

64 BAHAMA ISLANDS,
Port of Nassau, N. P.

An agreement, made pursuant to the directions of an act of assembly made and passed in the second year of the reign of her Majesty Queen Victoria the First, between William Austin, the master of the schooner Lucy, of the port of Nassau, N. P., and the several persons whose names are subscribed hereto:

It is agreed by and on the part of the said persons, and they severally hereby engage to serve on board the said schooner in the several capacities against their respective names expressed, on a voyage from the port of Nassau to Havana and Metamoras or New Orleans, and back to the port of Nassau, N. P. And the said crew further engage to conduct themselves in an orderly, faithful, honest, careful, and sober manner, and to be, at all times, diligent in their respective duties and stations, and to be obedient to the lawful commands of the master or

other officer in everything relating to the said schooner and the materials, stores, and cargo thereof, whether on board such schooner, in boats, or on shore.

In consideration of which services, to be duly, honestly, carefully, and faithfully performed, the said master doth hereby promise and agree to pay the said crew, by way of compensation or wages, the amount against their names respectively expressed.

In witness whereof the said parties have hereto subscribed their names on the day against the respective signatures mentioned.

Place and time of entry.	Men's names.	Capacity or quality.	Am't of wages per calender month.	Amount advanced.	Witness to signatures.
.....	.....	.....	$40	.....	Sawer & Menenders.
Nassau, N. P., 20th May, 1862.	Ambrose Allen ..	Captain ...	20	$10	
	James McNulty..	Mate.....	15	7½	
	Lewis Long.....	Cook.....	15	7½	
	Robert Keenan..	Seaman ...	15	7½	
	Thomas Murray.	Seaman ...	15	7½	

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Havana, Cuba.

I, William Austin, the present master of the British schooner Lucy, of Nassau, (New Providence,) do solemnly and truly swear that the list of crew and shipping articles, now produced to the consul general of the United States for Havana, is authentic, as is evidenced by the certificate endorsed thereon, by the British consulate general in Cuba; that the said list sets forth all the crew or ship's company of the schooner aforsaid, and there is no other persons attached to her, in any capacity. Number of crew, deponent inclusive, six persons.

(Sig'd) WILLIAM AUSTIN.

Sworn to and subscribed before me, at Havana, this 13 day of June, 1862. And I do further certify that I am satisfied the said William Austin, who subscribes the foregoing oath, is the person he represents himself to be; that he is a credible person, and that the statements made by him under said oath are true.

[SEAL.] (Sig'd) R. W. SHUFELDT,
U. S. Consul Gen'l.

BRITISH CONSULATE GENERAL,
Havana, 13th June, 1862.

Duly deposited, on arrival from Nassau, N. P., on the 25 May, and now returned to the master, on clearing for New Orleans.

No change in crew.

[SEAL.] (Sig'd) JOHN V. CRAWFORD,
Act'g Consul General in Cuba.

65 District Court of the United States for the southern district of Florida.

I, George D. Allen, clerk of the District Court of the United States for the southern district of Florida, do hereby certify, that the foregoing document, hereunto annexed, is a correct transcript of record of this court in the cause of the United States *vs.* The Schooner "Lucy," and cargo, Wm. Austin, master and claimant, prize, lately adjudicated in this court, as appears from the admiralty records and files of said court, kept in my office.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said court, at Key West, in the southern district of Florida, this thirty-first day of October, in the year of our Lord one thousand eight hundred and sixty-two, and independence of the United States the eighty-seventh.

(Signed) GEORGE D. ALLEN, *Clerk*

[District Court seal, so. dist. Fla.]

Filed in Circuit Court of the United States, for the southern district of Florida, by reason of act of Congress approved July 15, 1862, establishing a circuit court in said district.

(Signed) GEORGE D. ALLEN,
Clerk Dist. and Circuit Courts of the United States, So. Dist. of Fla.

65 Afterwards, to wit, on the seventeenth day of March, A. D. 1867, the parties in interest filed their stipulation in this cause, in the words and figures following, to wit:

THE UNITED STATES
vs.
THE SCHOONER "LUCY" AND CARGO, William Austin, claimant. } Prize.

It is hereby stipulated by and between Homer G. Plantz, attorney for the United States, and Walter C. Maloney, proctor for the claimant, that the appeal taken and allowed in this cause be taken to the Supreme Court of the United States for adjudication.

(Sig'd) HOMER G. PLANTZ, *U. S. Attorney.*
(Sig'd) WALTER C. MALONEY,
Key West, 18 March, 1867. *Proctor for Claimant.*

Whereupon the following order was made in this cause, to wit:

66 Circuit Court of the U. S., southern dis. Fla.

THE UNITED STATES
vs.
THE SCHOONER "LUCY" AND CARGO. } Prize.

MONDAY, *May 1st* 1867.

By consent of all parties in interest in this cause, it is ordered that this cause be transferred from this court to the Supreme Court of the United States.

Entered May 1st, 1867.

(Sig'd) JAS. W. LOCKE, *Clerk.*

67 Circuit Court of the United States, southern district of Florida.

UNITED STATES OF AMERICA.

I, James W. Locke, clerk of the Circuit Court of the United States for the southern district of Florida, do hereby certify that the foregoing, hereunto annexed, is a true copy of the original transcript of record of the District Court of the United States for said district filed in this court in the cause of The United States *vs.* The Schooner "Lucy," and cargo, Wm. Austin, master and claimant, and which has been appealed to the Supreme of the United States by the consent of parties and order of this court before annexed.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said court at Key West, in the southern district of Florida, this sixth day of May, 1867.

[SEAL.] JAMES W. LOCKE, *Clerk.*